AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 17, 2010 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2010-0601 to 2010-0618
ORDINANCES – 2009-0660 to 2009-0677
RESOLUTIONS – 2010-0050 to 2010-0052

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Clutterbuck

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

2:00 P. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary’s Office

Motion 2010-0601 – Procedural motion
Motion 2010-0602 – Procedural motion
Motion 2010-0603 – Procedural motion
Motion 2010-0604 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - AUGUST 18, 2010 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE CITY SECRETARY PRIOR TO COMMENCEMENT

HEARINGS

1. Motion 2010-0605 – Close hearing

PUBLIC HEARING to consider the readoption of the Houston Youth Recreation Programs Standards of Care as codified at Article XII, Chapter 32 of the Code of Ordinances, Houston, Texas in compliance with Section 42.041(b) of the Texas Human Resource Code

a. Ordinance 2010-0660

ORDINANCE re-adopting the Houston Youth Recreation Programs Standards of Care as codified at ARTICLE XII OF CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS; containing findings and other provisions related to the subject; providing an effective date; providing for severability
MAYOR’S REPORT

CONSENT AGENDA NUMBERS 2 through 36

MISCELLANEOUS - NUMBERS 2 and 3

2. Motion 2010-0606
   REQUEST from Mayor for confirmation of the appointment or reappointment of the following
to the HOUSTON CONVENTION CENTER HOTEL CORPORATION BOARD OF
DIRECTORS, for terms to expire December 31, 2011:
   Position One  - MR. JOE TING, reappointment
   Position Two  - MS. KATY CALDWELL, appointment
   Position Three - MR. THOMAS DEON WARNER, appointment
   Position Four  - MR. RICHARD J. CAMPO, reappointment, and to serve as Chair
   Position Five  - MR. DAVID SOLOMON, reappointment
   Position Six   - MR. HASMUKH D. PATEL, appointment
   Position Seven - MS. DESRYE M. MORGAN, appointment
   Position Eight - MR. DAVID W. ARPIN, appointment
   Position Nine  - MR. RICHARD A. RABINOW, appointment

3. Motion 2010-0607
   REQUEST from Mayor for confirmation of the reappointment of MR. FRANKLIN D. R.
   JONES, JR. (HISD Representative) to Position Six of the BOARD OF DIRECTORS OF THE
   OLD SPANISH TRAIL/ALMEDA CORRIDORS REDEVELOPMENT AUTHORITY, for a term
to expire May 6, 2012

ACCEPT WORK - NUMBERS 4 through 7

4. Motion 2010-0612
   RECOMMENDATION from Interim Director General Services Department for approval of final
contract amount of $2,105,723.00 and acceptance of work on contract with GILBANE
BUILDING COMPANY for HPD Qualification Pistol Range - 18.30% over the guaranteed
maximum price DISTRICT B - JOHNSON

5. Motion 2010-0608
   RECOMMENDATION from Director Department of Public Works & Engineering for approval
of final contract amount of $2,631,494.58 and acceptance of work on contract with UNDERGROUND TECHNOLOGIES, INC for Wastewater Collection System Rehabilitation
and Renewal - 3.9% under the original contract amount

6. Motion 2010-0609
   RECOMMENDATION from Director Department of Public Works & Engineering for approval
of final contract amount of $2,602,361.20 and acceptance of work on contract with
UNDERGROUND TECHNOLOGIES, INC for Wastewater Collection System Rehabilitation
and Renewal - 1.1% under the original contract amount

7. Motion 2010-0610
   RECOMMENDATION from Director Department of Public Works & Engineering for approval
of final contract amount of $8,280,137.58 and acceptance of work on contract with
INDUSTRIAL TX CORP. for Pump Station Upgrade at Park Glen I - 0.28% over the original
contract amount DISTRICT F - HOANG
8. **Motion 2010-0613**
   CRYSTAL COMMUNICATIONS - $2,929,676.58, INX, INC - $845,290.98, JTS - $964,622.09, MSC INDUSTRIAL SUPPLY - $217,955.00 and MOBIUS PARTNERS - $37,937.30 for Purchase of Equipment, Hardware, Software, and Licenses from the State of Texas Procurement & Support Services Contract and the City’s Master Agreement with the Texas Department of Information Resources for a Wi Max Radio System for Department of Public Works & Engineering - Total including contingencies $5,000,000.00 - American Recovery and Reinvestment Act Fund

9. **Motion 2010-0611**
   C. F. MCDONALD ELECTRIC, INC to Furnish and Install Variable Frequency Drive for the Department of Public Works & Engineering - $198,469.00 and contingencies for a total amount not to exceed $208,392.45 - Enterprise Fund

10. **Motion 2010-0614**
    CDP DIAMOND PRODUCTS, INC for Concrete Saw Blades for Various Departments $247,308.00 - Enterprise Funds

11. **Motion 2010-0615**
    AMEND MOTION #2007-471, 5/9/07, TO INCREASE spending authority from $2,625,161.26 to $3,281,451.58 for Scientific Products for Various Departments, awarded to VWR INTERNATIONAL, INC - General, Enterprise, Grant and Stormwater Funds

**RESOLUTIONS AND ORDINANCES** - NUMBERS 12 through 36

12. **Resolution 2010-0050**
    RESOLUTION approving and authorizing the issuance of $1,100,000 of Bonds by the International Management District - DISTRICTS C - CLUTTERBUCK; F - HOANG and G - PENNINGTON

13. **Resolution 2010-0051**
    RESOLUTION approving and authorizing the nomination of INVESCO MANAGEMENT GROUP, INC to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project - DISTRICT C - CLUTTERBUCK

14. **Resolution 2010-0052**
    RESOLUTION approving and authorizing the nomination of PLAINS ALL AMERICAN PIPELINE, L.P. to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project - DISTRICT I - RODRIGUEZ

15. **Ordinance 2010-0668**
    ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to the City Hall Preservation Committee; dissolving the committee and AMENDING CHAPTER 33-214 OF THE CODE OF ORDINANCES to transfer certain of the Committee’s functions to the Houston Historical and Archaeological Commission; containing findings and other provisions relating to the foregoing subject; containing a repealer; providing for severability
RESOLUTIONS AND ORDINANCES - continued

16. Ordinance 2010-0661
   ORDINANCE approving and authorizing the submission of an application for grant assistance
   for the City’s Immunization Program and contract with the Department of State Health
   Services to continue and expand Immunization Outreach And Service Delivery Activities from
   such grant funds; declaring the City’s eligibility for such grant; authorizing the Director of the
   Houston Department of Health and Human Services or his designee to act as the City’s
   representative in the application process, with the authority to approve, accept, reject, alter or
   terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if
   any, pertaining to the program

17. Ordinance 2010-0662
   ORDINANCE approving and authorizing contract between the City of Houston, Texas and the
   TEXAS DEPARTMENT OF STATE HEALTH SERVICES to expand routine HIV Testing in
   Emergency Departments and Community Health Centers in Harris County from Grant Funds
   for the Houston Department of Health and Human Services

18. Ordinance 2010-0663
   ORDINANCE approving and authorizing contract between the City of Houston, Texas and the
   Texas Department of State Health Services for Bioterrorism Preparedness from Public Health
   Emergency Preparedness Grant Funds for the Houston Department of Health and Human
   Services

19. Ordinance 2010-0664
   ORDINANCE approving and authorizing contract between the City of Houston, Texas and the
   TEXAS DEPARTMENT OF STATE HEALTH SERVICES to develop plans and infrastructure
   to provide prophylactic medications to the entire population of the Houston Metropolitan
   Statistical Area in the event of a large-scale public health emergency under the Cities
   Readiness Initiative from Federal Grant Funds for the Houston Department of Health and
   Human Services

20. Pulled - Not Considered
   ORDINANCE approving and authorizing Conservation Easement Agreement between the City
   of Houston, as Grantor, and the Texas Historical Commission, as Grantee, for the
   preservation of the Julia Ideson Building - DISTRICT I - RODRIGUEZ

21. Council Member Clutterbuck tagged
   ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston
   and NORTH FOREST INDEPENDENT SCHOOL DISTRICT under the American Recovery
   and Reinvestment Act for Installation of New Energy Efficient Roof - $1,500,000.00 -
   American Recovery and Reinvestment Act Fund - DISTRICT B - JOHNSON

22. Ordinance 2010-0669
   ORDINANCE providing for an Ad Valorem Tax Exemption on a significant historic structure
   located at 1846 Harvard Street in Houston, Texas; containing findings and other provisions
   relating to the foregoing subject; providing for the revocation of such tax exemption and the
   recapture of taxes upon the occurrence of stated events - DISTRICT H - GONZALEZ

23. Council Member Gonzalez tagged
   ORDINANCE approving agreement between the City of Houston, Texas and INTOWN
   HOMES, LTD, pursuant to Chapter 380 of the Texas Local Government Code for Economic
   Development Assistance for development of three residential subdivisions in the City
RESOLUTIONS AND ORDINANCES - continued

24. Ordinance 2010-0665
ORDINANCE appropriating $7,200,000.00 out of Equipment Acquisition Consolidated Fund for Purchase of Information Technology Equipment from the State Department of Information Resources Contract and other sources to implement Citywide Asset Replacement Program by the Information and Technology Department

25. Ordinance 2010-0670
ORDINANCE approving and authorizing the submission of an application for grant assistance to the Department of Justice’s National Institute of Justice for FY10 Solving Cold Cases with DNA Initiative for the Houston Police Department Crime Lab; declaring the City’s eligibility for such grant; authorizing the Mayor to act as the City’s representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

26. Ordinance 2010-0671
ORDINANCE appropriating $1,630,432.00 out of DARLEP Fund as an additional appropriation for FY2010 costs allocated to the Digital Automated Red Light Enforcement Program including payment to State of Texas for support of Level One Trauma Centers in Houston

27. Council Members Bradford and Adams tagged
ORDINANCE approving and authorizing contract between the City of Houston and GT DISTRIBUTORS, INC for Conductive Energy Devices (Tasers), Accessories, Supplies and Repair Services for the Houston Police Department; providing a maximum contract amount 5 Years - $4,452,310.25 - General Fund

28. Ordinance 2010-0672
ORDINANCE approving and authorizing contract between the City and APPLIED BIOSYSTEMS, LLC for Purchase, Implementation, Validation and Employee Training for use of Automated Robotics for Forensic DNA Analysis for the Houston Police Department Crime Lab - 3 Years with two one-year options - $352,437.60 - Grant Fund

29. Ordinance 2010-0666
ORDINANCE awarding contract to TERMINIX INTERNATIONAL COMPANY, L.P. for Pest Control Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - $657,291.50 - General, Enterprise, Stormwater and Building Inspection Funds

30. Pulled - Not Considered
ORDINANCE appropriating $656,255.11 out of Fire Consolidated Construction Fund and amending Ordinance No. 2007-1052 (Passed on September 12, 2007) to increase the maximum contract amount and approving first amendment to contract between the City of Houston and SPRING EQUIPMENT COMPANY, INC for Concrete Repair Services for Various Departments

31. Ordinance 2010-0673
ORDINANCE appropriating $1,250,000.00 out of Airports Improvement Fund for Supplemental Allocation to contract for Professional Engineering Services by and between the City of Houston and POST, BUCKLEY, SCHUH & JERNIGAN, INC at George Bush Intercontinental Airport/Houston (Project No. 644; Contract No. 4600009972) - DISTRICT B - JOHNSON
RESOLUTIONS AND ORDINANCES - continued

32. Ordinance 2010-0674
ORDINANCE approving and authorizing contract between the City of Houston and AWC, INC for Purchase of Siemens related Process Control and Data Equipment/Replacement Parts, Professional Services, Training and Technical Services for Public Works and Engineering Department; providing a maximum contract amount - 5 Years - $3,000,000.00 - Enterprise Fund

33. Ordinance 2010-0675
ORDINANCE appropriating $7,470,000.00 out of Street & Bridge Consolidated Construction Fund approving and authorizing payments for land acquisition costs, appraisal fees, relocation expenses, and other services, for and in connection with finding a public necessity for various street projects including (1) Little York Paving: N. Shepherd to Alabonson; (2) Hirsch Road Paving: Kelley to Crosstimbers; (3) Parker Road: Hardy Toll Road to Eastex Freeway; (4) Fondren Road: Hillcroft to McHard (FM 2234); (5) Hughes Road Rehabilitation: Beltway 8 to City Limit (Blackhawk); (6) Airline Reconstruction: N. Main to North Loop (IH610); (7) North Main Reconstruction: 20th and Cavalcade to IH 610; (8) Broadway Reconstruction: IH 45 to Airport Boulevard; (9) Market Street Paving: McCarty to Wayside; and (10) other miscellaneous land acquisition

34. Ordinance 2010-0667
ORDINANCE appropriating $250,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and JACOBS ENGINEERING GROUP, INC for the Intelligent Transportation System

35. Ordinance 2010-0623 – Passed third and final reading
ORDINANCE No. 2010-0623, passed second reading on August 11, 2010
ORDINANCE granting to OIL PATCH TRANSPORTATION, INC., A Texas Corporation, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - THIRD AND FINAL READING

36. Ordinance 2010-0624 – Passed third and final reading
ORDINANCE No. 2010-0624, passed second reading on August 11, 2010
ORDINANCE granting to VELEZ TRUCKING, INC., A Texas Corporation, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - THIRD AND FINAL READING

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA
MISCELLANEOUS

37. Motion 2010-0616
   SET A PUBLIC HEARING DATE regarding a second amendment to the PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN for Tax Increment Reinvestment Zone Number Thirteen (Old Sixth Ward Zone) - DISTRICT H - GONZALEZ
   HEARING DATE - 9:00 A.M. - WEDNESDAY - SEPTEMBER 15, 2010

MATTERS HELD - NUMBERS 38 through 41

38. Motion 2010-0617 – Adopt
   RECOMMENDATION from Interim Director General Services Department to award to HOUSTON ARTS ALLIANCE for Administration Services and Installation of Civic Art, entitled “Standing Vase with Five Flowers” for Parks & Recreation Department - $360,500.00 - Parks Consolidated Construction Fund - TAGGED BY COUNCIL MEMBERS NORIEGA and JONES
   This was Item 7 on Agenda of August 11, 2010

39. Ordinance 2010-0676
   ORDINANCE approving and authorizing submission of an application for grant assistance to the State of Texas through the Criminal Justice Division, Office of the Governor, for the Forensic Science Backlog Reduction for Marihuana Initiative; declaring the City’s eligibility for such grant; authorizing the Mayor to act as the City’s representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program
   TAGGED BY COUNCIL MEMBER JONES
   This was Item 22 on Agenda of August 11, 2010

40. Ordinance 2010-0677 – “FAILED”
   ORDINANCE ordering a Special Election to be held on November 2, 2010, for the purpose of submitting to the qualified voters of the City of Houston, Texas, a proposition amending the City Charter to change the length of terms for City elective offices from two years to four years, to change term limits for city elective offices to two four-year terms in the same office, and to provide for transition from current provisions
   TAGGED BY COUNCIL MEMBERS LOVELL, JONES and BRADFORD
   This was Item 37 on Agenda of August 11, 2010

41. Motion 2010-0618 – Adopt
   MOTION by Council Member Lovell/Seconded by Council Member Noriega to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of $1,488,461.13 and acceptance of work on contract with REYTEC CONSTRUCTION RESOURCES, INC for On-Call Rehabilitation to Large Diameter Water Lines, Valves and Appurtenances Package No. 6 - 0.77% under the original contract amount DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ - TAGGED BY COUNCIL MEMBER ADAMS
   This was Item 38 on Agenda of August 11, 2010

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Gonzalez first
ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

8/17/2010 – All Present
8/18/2010 – Council Member Jones absent